

April 5, 2010

HAND DELIVER

Washington County  
ATT: Deon Goheen

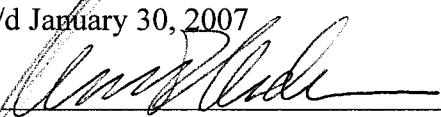
RE: *Non-opposition to annexation – Pah Tempe Hot Springs property*

Dear Ms. Goheen:

Pursuant to Washington County Code §10-22-5(B)(4), the undersigned owner of the property generally known as “Pah Tempe Hot Springs” (legally described at Exhibit A hereto), hereby states its non-opposition to unconditional annexation to an adjacent City. Also attached hereto is a recordable document committing the property as a covenant to run with the land to unconditional annexation as required by Washington County Code §10-22-5B(5) (*see* Exhibit B hereto).

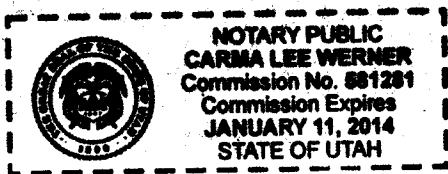
Very truly yours


THE RODERICK FAMILY TRUST  
u/a/d January 30, 2007

By:   
Ken Anderson, Trustee

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF WASHINGTON )

On the 6<sup>th</sup> day of April, 2010, personally appeared before me Ken Anderson, the signer of the foregoing document, who acknowledged to me that he executed the same as Trustee of The Roderick Family Trust, dated January 30, 2007.



  
Notary Public

After Recording Return to:  
Deon Goheen  
Washington County Planner  
197 E. Tabernacle  
St. George, UT 84770

**COVENANT  
RE: ANNEXATION**

Pursuant to Washington County Code §10-22-5B(5), the undersigned owner of the property generally known as "Pah Tempe Hot Springs," legally described at Exhibit A hereto, hereby covenants to unconditionally annex said property to an adjacent City at such time as may be determined by the responsible public officials of such City.

This shall be deemed a covenant to run with the land located in Washington County, Utah, described at Exhibit A.

DATED this 6<sup>th</sup> day of April, 2010.

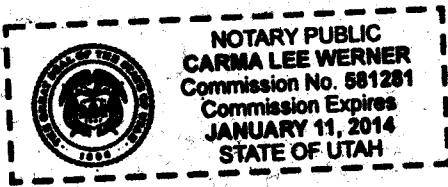
OWNER:

THE RODERICK FAMILY TRUST,  
dated January 30, 2007

By: *Kenneth R. Anderson*  
Kenneth R. Anderson, Trustee

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF WASHINGTON )

On the 6<sup>th</sup> day of April, 2010, personally appeared before me Ken Anderson, the signer of the foregoing document, who acknowledged to me that he executed the same as Trustee of The Roderick Family Trust, dated January 30, 2007.



*Carma L Werner*  
Notary Public

**EXHIBIT**

tabbies

A

**PARCEL 1:**

**Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 36, Township 41 South, Range 13 West, Salt Lake Base and Meridian.**

**LESS AND EXCEPTING THEREFROM that portion lying within Highway U-59.**

**ALSO, LESS AND EXCEPTING THEREFROM the following described property:**

**Being a portion of Section 36, Township 41 South, Range 13 West, Salt Lake Base and Meridian, more particularly described as follows:**

**Beginning at the Northwest Corner of said Section 36 and running thence South along the West line of said Section 36, 1320.00 feet to the North 1/16 Corner; thence East along a line perpendicular to said West line of Section 36, 440.00 feet; thence North along a line that is parallel to said West line of Section 36, 1320.00 feet to the North line of said Section 36; thence West along the North line of said Section 36, 440.00 feet to the Northwest Corner of said Section 36 and the point of beginning.**

**PARCEL 3: (Numbered as such for reference purposes)**

**Beginning at a point North 10 chains from the Southwest Corner of Section 25, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence East 30 chains; thence at right angles North 30 chains, more or less, to a point where the Virgin River intersects the East and West centerline of said Section; thence Northeasterly along the middle of said River to a point 3.50 chains West of a point North 10.70 chains from the center of said Section 25; thence East 3.50 chains; thence South 50.70 chains to the South Quarter Corner of said Section 25; thence West 40 chains, more or less, to the Southwest Corner of said Section 25; thence North 10 chains, more or less, to the point of Beginning.**

**LESS AND EXCEPTING THEREFROM any portion acquired by Ovando Gubler and Horatio Gubler, under Quit Claim Deed, recorded June 27, 1962, as Entry No. 116517, in Book S-38 at Page 57, Official Washington County Records.**

**ALSO, LESS AND EXCEPTING THEREFROM the following described property:**

**Being a portion of Section 25, Township 41 South, Range 13 West, Salt Lake Base and Meridian, more particularly described as follows:**

**Beginning at the Southwest Corner of said Section 25 and running thence North along the West line of said Section 25, 660.00 feet; thence East along a line that is perpendicular to the said West line of Section 25, 440.00 feet; thence South along a line that is parallel to the said West line of Section 25, 660.00 feet to the South line of said Section 25; thence West along the South line of said Section 25, 440.00 feet to the Southwest Corner of Section 25 and the point of beginning.**

**PARCEL 4: (Numbered as such for reference purposes)**

**Beginning at a point North 89°57'10" West along the Quarter ( $\frac{1}{4}$ ) Section line, 306.78 feet,**

and South 0°00' West 61.36 feet from the East Quarter (E¼) Corner of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence South 0°00' West 670.00 feet, more or less, to the centerline of the Virgin River; thence Westerly along the Virgin River centerline 950.00 feet, more or less, to a point on the East right-of-way line of Highway U-9; thence North 21°08'45" East along said right-of-way line 200.00 feet, more or less, to a point which is North 89°57'10" West along the Quarter (¼) Section line, 823.62 feet and South 21°08'45" West along said right-of-way line 627.42 feet from said East Quarter (E¼) Corner of Section 26; thence North 87°00' East 100.00 feet; thence North 50°32'39" East 210.19 feet; thence South 82°00'10" East 400.00 feet; thence North 7°59'50" East 448.63 feet; thence South 79°49'06" East 22.85 feet to the point of beginning.

**PARCEL 5:**

Beginning at a point East 6.05 chains from Northwest Corner of Southwest One-Fourth Section 25, Township 41 South, Range 13 West, Salt Lake Base and Meridian and running thence South 23°45' West, 6.95 chains; thence South 68° East, 24.50 chains; thence North 22°30' East, 15.81 chains; thence West 26.30 chains to the place of beginning.

**LESS AND EXCEPTING THEREFROM** any portion owned by Washington County Water Conservancy District.

**PARCEL 18: (Numbered as such for Reference Purposes)**

Beginning at a point in the middle of the channel of Virgin River located directly South from a point 15.40 chains East of the Northwest Corner of the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence North 9.40 chains, more or less to a point 30.00 feet South of a line separating the Southeast Quarter (SE¼) and the Northeast Quarter (NE¼) of said Section 26; thence South 87° East 9.70 chains, more or less; thence South 23°45' West 5.40 chains; thence South 68° East 24.50 chains, more or less, to the middle of Virgin River, to a point, which is 14.00 chains West and 15.00 chains South from the Northeast Corner of the Southwest Quarter (SW¼) of Section 25; thence follow downstream the middle of the River to the point of beginning.

**PARCEL 19: (Numbered as such for Reference Purposes)**

Beginning at a point 10.00 chains South of the Northwest Corner of the Southwest Quarter of the Southwest Quarter (SW¼SW¼) of Section 25, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence East 30.00 chains; thence Northerly 30.00 chains, more or less to the point of intersection of the middle of the channel of the Virgin River with the line separating the Southwest Quarter (SW¼) and the Northwest Quarter (NW¼) of Section 25, then follows downstream the middle of the River to a point where said river intersects the Easterly boundary line of Highway U-17; thence South 21°04' West 15.00 chains, more or less to the South boundary line of the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of Section 26; thence East 19.00 chains, more or less to the Southeast Corner of the Northeast Quarter of the Southeast Quarter (NE¼SE¼); thence South 10.00 chains to beginning.

**LESS AND EXCEPTING from Parcel 19 the following:**

Beginning at a point in the Center of the Virgin River Channel South 43°41'53" West, 921.77 feet from the East Quarter (E¼) Corner of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, thence South 0°07'23" East, 282.12 feet; thence North 83°27'03" West, 534.66 feet to a point on the East right of way line of State Highway U-9; thence North 21°05'09" East, 110.06 feet along said right of way line to a point in the Center of the Virgin River channel; thence along the center of the Virgin River channel South 83°36'43" East, 173.60 feet; thence North 47°41'52" East, 237.90 feet; thence South 81°06'32" East, 144.24 feet to the point of beginning.

AND, Beginning at a point North 250.00 feet and West 80.00 feet from the Northeast Corner of the Southeast Quarter of the Southeast Quarter (SE¼SE¼) of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian; thence North 89°14'18" West, 100.00 feet; thence North 0°45'42" East, 100.00 feet; thence South 89°14'18" East, 100.00 feet; thence South 0°45'42" West 100.00 feet to the point of beginning.

**ALSO LESS AND EXCEPTING FROM PARCEL 19 THE FOLLOWING:**

A parcel of land in fee for a highway bridge construction realignment, known as Project \*STP-BRF-0009(3)11, being part of an entire tract of property, situate in the North East Quarter of the Southeast Quarter (NE¼SE¼) and the Northwest Quarter of the Southeast Quarter (NW¼SE¼) of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point on the existing Easterly highway Right-of-Way (R/W) Line of existing highway State Route 9 which point is 5.838 meters (19.15 feet) radially distant Easterly from the Northbound Control Line of Project No. \*STP-BRF-0009(3)11 at Engineer Station 15+266.645, and said point is North 45°42'42" West 581.081 meters (1906.43 feet) from the Southeast Corner of said Section 26; thence Northerly 27.275 meters (89.48 feet) along said Right-of-Way line along the arc of a 888.462 meters (2914.90 feet) radius curve to the left (note: chord to said curve bears North 22°01'22" East for a distance of 27.274 meters (89.48 feet)); thence North 21°22'33" East 119.821 meters (393.11 feet); thence South 83°27'03" East 13.599 meters (44.61 feet); thence South 21°22'33" West 27.638 meters (90.68 feet); thence North 68°37'47" West 1.659 meters (5.44 feet); thence South 21°22'33" West 29.427 meters (96.55 feet); thence Southerly 90.849 meters (298.06 feet) along the arc of a 912.802 meters (2994.76 feet) radius curve to the right (note: chord to said curve bears South 24°13'38" West for a distance of 90.811 meters (297.94 feet)); thence North 89°43'00" West 7.809 meters (25.62 feet) to the point of beginning.

**ALSO LESS AND EXCEPTING FROM PARCEL 19 THE FOLLOWING:**

Beginning at a point South 43°41'53" West 921.77 feet and South 0°07'23" East 37.17 feet from the East one quarter Corner of Section 26, Township 41 South, Range 13 West, Salt Lake and Meridian and running thence South 0°07'23" East 275.00 feet; thence South 83°30' East 137.10 feet; thence North 12°00' East 255.73 feet; thence North 78°00' West 194.22 feet to the point of beginning.

**ALSO, LESS AND EXCEPTING THEREFROM the following described property:**

**A 100.00 foot wide parcel of land located in Sections 25 and 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, being 50.00 feet on each side of the following described centerline:**

**Commencing at the West Quarter Corner of said Section 25; thence North 89°48'06" West, 1304.11 feet along the center Section line; thence South 1328.61 feet to the point of beginning, said point also being on the Easterly right of way line of SR-9; thence North 89°45'44" East, 702.71 feet; thence North 43°18'38" East, 365.46 feet; thence South 89°14'18" East, 652.26 feet; thence North 18°55'10" East, 144.04 feet to the point of a 12.97 foot radius curve to the right; thence Easterly 24.41 feet along the arc of said curve through a central angle of 107°52'43"; thence South 70°48'01" East, 53.88 feet; thence South 71°21'39" East, 99.25 feet; thence South 55°50'07" East, 83.56 feet; thence South 69°29'04" East, 175.92 feet; thence South 69°40'08" East, 258.79 feet; thence South 65°53'57" East, 179.20 feet; thence South 74°10'36" East, 116.08 feet; thence South 83°03'18" East, 99.81 feet; thence South 73°00'41" East, 109.91 feet; thence South 78°23'08" East, 93.60 feet; thence North 58°10'19" East, 90.18 feet; thence North 31°14'01" East, 54.65 feet; thence North 12°00'03" East, 40.70 feet to the point of a 35.00 foot radius curve to the right; thence Easterly 41.16 feet along the arc of said curve through a central angle of 67°22'33"; thence North 79°22'36" East, 162.51 feet to the point of a 30.00 foot radius curve to the left; thence Northerly 34.11 feet along the arc of said curve through a central angle of 65°08'23"; thence North 14°14'13" East, 84.25 feet; thence North 09°31'14" East, 154.74 feet; thence North 10°20'49" East, 105.49 feet; thence North 10°44'14" East, 183.56 feet; thence North 14°14'10" East, 86.38 feet; thence North 15°04'23" East, 82.78 feet; thence North 21°00'23" East, 124.00 feet; thence North 23°04'52" East, 135.61 feet; thence North 25°50'41" East, 161.51 feet; thence North 29°15'12" East, 88.21 feet; thence North 38°21'19" East, 177.85 feet; thence North 48°57'14" East, 120.04 feet; thence North 65°18'11" East, 192.10 feet to the Center Quarter Corner of said Section 25 and the point of terminus. NOTE: This parcel is 100.00 feet wide through out except at the last call it goes from 100.00 wide to 130.00 feet wide.**

**Also, a 100.00 foot wide parcel of land located in Sections 25 and 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, being 50.00 feet on each side of the following described centerline:**

**Commencing at the West Quarter Corner of said Section 25; thence North 89°48'06" West, 456.66 feet along the center Section line; thence South 792.14 feet to the point of beginning, said point also being on the East line of a parcel as recorded in Book 648, Page 695, Washington County Official Records; thence South 67°27'10" East, 703.87 feet to the point of terminus.**

**Also, a 100.00 foot wide parcel of land located in Sections 25 and 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, being 50.00 feet on each side of the following described centerline:**

**Commencing at the West Quarter Corner of said Section 25; thence North 89°48'06" West, 115.95 feet along the center Section line; thence South 977.11 feet to the point of beginning, said point also being on the North line of a parcel as recorded in Book 648,**

Page 689, Washington County Official Records; thence North 09°06'44" East, 355.41 feet; thence North 16°13'14" East, 384.58 feet; thence North 32°05'41" East, 162.97 feet; thence North 41°14'38" East, 156.19 feet to the point of terminus.

**PARCEL 6: (Numbered as such for Reference Purposes)**

Beginning at the East Quarter Corner of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence South 89°54'51" East along the Quarter Section line of Section 25, of said Township and Range, 399.30 feet; thence South 23°50'09" West, 71.77 feet; thence North 86°54'51" West, 546.59 feet; thence North 0°00' East, 36.97 feet to a point on the Quarter Section line of said Section 26; thence South 89°57'10" East along the Quarter Section line 175.50 feet to the point of beginning.

\* \* \*